

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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TAMMY R. HURLEY,

Plaintiff,

v.

Case No. 15-cv-1539-pp

NANCY A. BERRYHILL,  
Acting Commissioner of Social Security,

Defendant.

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**ORDER DENYING AS MOOT THE PLAINTIFF'S MOTION FOR ATTORNEY'S FEES (DKT. NO. 22) AND APPROVING THE STIPULATION FOR ATTORNEY'S FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. §2412 (DKT. NO. 23)**

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On October 25, 2017, the plaintiff filed a motion for attorney's fees under the Equal Access to Justice Act, 28 U.S.C. §2412. Dkt. No. 22. The defendant did not respond to that motion; instead, the parties filed a stipulation, asking the court to enter an order awarding attorney fees under the Equal Access to Justice Act. Dkt. No. 23. They indicate that the stipulation "obviates the motion for attorney fees at Docket No. 22." Dkt. No. 23 at 1, fn. 1.

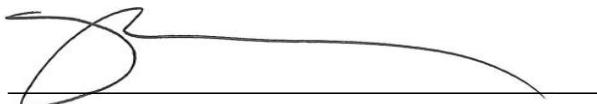
The court **DENIES AS MOOT** the plaintiff's motion for attorney fees. Dkt. No. 22. The court **APPROVES** the November 13, 2017 stipulation, dkt. no. 23, and **ORDERS** that the defendant shall pay to the plaintiff an award of attorney's fees in the amount **\$9,153.08**, in full satisfaction and settlement of any and all claims the plaintiff may have in this case under the Equal Access to Justice Act. The court awards these fees and costs to the plaintiff, not the

plaintiff's attorney, and under Astrue v. Ratliff, 560 U.S. 586 (2010), the United States can offset the award to satisfy pre-existing debts that the litigant owes the United States.

If counsel for the parties verify that the plaintiff owes no pre-existing debt subject to offset, the defendant shall direct that the award be made payable to the plaintiff's attorney, under the Equal Access to Justice Act assignment duly signed by the plaintiff and counsel.

Dated in Milwaukee, Wisconsin this 27th day of November, 2017.

**BY THE COURT:**



**HON. PAMELA PEPPER**  
**United States District Judge**